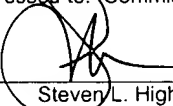




CERTIFICATE OF MAILING  
37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date below:

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Steven L. Highlander

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David J. MANGELSDORF *et al.*

Serial No.: 09/460,292

Filed: December 10, 1999

For: COMPOSITIONS AND METHODS OF  
MODULATING CHOLESTEROL  
METABOLISM

Group Art Unit: 1615

Examiner: J. Woitach

Atty. Dkt. No.: UTSD:596/SLH

DECLARATION OF DAVID MANGELSDORF UNDER 37 C.F.R. § 1.132


Hon. Commissioner for Patents  
Washington, D.C. 20231

I, David Mangelsdorf, do declare that:

1. I am a United States Citizen residing at 5534 Northmoor Dr., Dallas, TX 75230.
2. I currently hold the position of Professor of Pharmacology at U.T. Soutwestern Medical School in Dallas, TX.
3. I am the David Mangelsdorf listed as an inventor for the above-captioned application.
4. I am the David Mangelsdorf listed as an author on Peet *et al.*, *Cell* 93:693-704 (1998).

5. Wenzhen Ma, Bethany A. Janowski and Robert E. Hammer are listed as authors of the Peet *et al.* paper but are not inventors on the instant application.
6. The contribution of these individuals to the research discussed in the Peet *et al.* paper is as follows. Wenzhen Ma was a technician in my laboratory who assisted with performing of experiments. She had no conceptual input into the rational or design of these studies. Bethany A. Janowski was a graduate student who performed certain transfection experiments, the results of which are discussed in the paper. Her contribution was therefore minimal, and she had no conceptual input into the rational or design of these studies. Robert E. Hammer is in charge of the core facility in which certain of the experiments were performed. Thus, he had no conceptual input into the rational or design of these studies.
7. Thus, the non-inventor co-authors of the Peet *et al.* paper clearly did not make a conceptual contribution to the subject matter of that paper, and now claimed herein.
8. I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

May 28 2001  
Date

  
David J. Mangelsdorf, Ph.D.